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Deputy Staff Director

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CSCE delegation visits independent Baltics, Georgia, Armenia, and Moscow

A delegation of the U.S. Commission on Security and Cooperation in Europe (Helsinki Commission), led by Chairman Steny Hoyer (D–MD) and Co-Chairman Dennis DeConcini (D–AZ), visited the newly independent Baltic nations, Georgia, Armenia, and Moscow from September 3–10.

The group, including 13 members of Congress and a representative of the U.S. Department of Commerce, was the first congressional delegation to visit Latvia, Lithuania, and Estonia since the U.S. officially recognized their independence.

Latvia

President Gorbunovs and Prime Minister Ivars Godmanis thanked the Commission and Congress for long supporting Baltic aspirations, and requested U.S. advice and assistance in creating market structures in their country.

Gorbunovs also emphasized Latvia's desire for integration into a global security system, and the urgent need for medical supplies.

Estonia

President Ruutel and Marju Lauristin, deputy speaker of the Estonian parliament, outlined the key issues facing their country.

These included drafting a new constitution, foreign investment laws, the disposition of KGB files on individuals, and restoring private property in land and related compensation claims. Most problematic, Lauristin anticipated, would be a new law on citizenship, given the high percentage of Russians in Estonia's population.

Lithuania

Deputy Prime Minister Vytautuas Pakalniskas told the delegation that human rights constituted the basis for Lithuania's independence. At a press conference in the Lithuanian parliament building, President Landsbergis thanked the U.S. Congress for long-standing support of Lithuania's aspirations.

While in Vilnius, the delegation received reports about exoneration of Lithuanians convicted of war crimes during WW II. Chairman Hoyer, Co-Chairman DeConcini and other members expressed their concerns about the matter to President Landsbergis, and he assured them that no proven war criminals would be rehabilitated.

Georgia

In Georgia, at a time of great civil unrest, the delegation met with President Gamsakhurdia, ministers in his government, members of the parliament and several opposition groups to discuss that republic's desire for in-

In front of the KGB headquarters in Vilnius, Chairman Hoyer and Co-Chairman DeConcini present an American flag to Baylis Cajauskas, who spent 37 years in Soviet prisons and is now in charge of dismantling the Lithuanian KGB.

The Commission on Security and Cooperation in Europe by law monitors and encourages progress in implementing the provisions of the Helsinki human rights accords. The Commission, created in 1976, is made up of nine Senators, nine Representatives and one official each from the Departments of State, Commerce and Defense.

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dependence, its transition to democracy, constitutional questions and several human rights concerns which have surfaced there.

President Gamsakhurdia denied charges from several opposition groups that he is becoming more and more dictatorial, and agreed to let international human rights organizations observe the situation in Georgia. Parliamentary, and non-parliamentary spokespersons accused the President of violations of human rights, democratic norms and freedom of the media.

Under escort of both government and opposition forces, the delegation traveled to an encampment of Georgia's National Guard to meet with former Georgian Foreign Minister Koshtaria (who had originally invited the Helsinki Commission to Georgia), and former Prime Minister Sigua, both of whom had left the government on the eve of the coup attempt.

Koshtaria and Sigua, along with Georgian National Guard Commander Kitovani, accused Gamsakhurdia of conspiring with the plotters of the Moscow coup and implementing their decrees. They called him a traitor and urged his removal through parliamentary means.

Armenia

During the Helsinki Commission's first visit to Armenia, the delegation met with President Levon Ter-Petrossyan, who told members that the Soviet Union as an empire was finished and the U.S. should support, not fear, the strivings for independence of all republics. The President urged that any Western aid be equally divided among the republics and requested American backing for republics desiring to join the United Nations.

Armenia, which is pursuing independence through peaceful, legal means, held a referendum on independence September 21, and will hold a Presidential election on October 16. Commission staffers were on hand to monitor the referendum, in which an overwhelming 94 percent of Armenians voted to break from the Soviet Union. The Commission will also send staff to monitor the Presidential election

While in Armenia the delegation also met with leaders of opposition political parties, some of which will be fielding candidates in the Presidential election. Complaining of unequal access to the media, the opposition leaders were pleased to hear the Commission would be sending election monitors to Armenia.

Moscow

In Moscow the delegation's initial meeting was with Soviet First Deputy Foreign Minister Vladimir Petrovsky. Petrovsky told members that the USSR has abandoned its longstanding policy of regarding outside concern for human rights as interference in its internal affairs. He promised that outstanding human rights cases would be resolved.

Soviet Defense Minister Evgeniy Shaposhknikov told members that the Soviet Union would observe its arms control commitments and that nuclear forces would remain under central control.

In a meeting with Russian parliamentarians Sergey Kovalyov, chairman of the Human Rights Committee, and Vladimir Lukin, chairman of the Foreign Affairs Committee, the members were told that time would be needed for the full institutionalization of human rights in Russia. The parliamentarians said that the Russian republic desires independent relations with foreign countries, and urged the West to press other republics in the disintegrating empire on human rights concerns.

Russian Foreign Minister Andrey Kozyrev emphasized that all republics must be responsible for human rights within their own territory, and called for an "internal CSCE" to guarantee human rights in the republics.

On September 10, the delegation attended the opening session of the third meeting of the CSCE Conference on the Human Dimension, at which the Baltic nations were formally admitted as full-fledged members of CSCE. Members heard Soviet President Gorbachev's speech, in which he spoke of the irreversibility of democratization in his country.

Along with Chairman Hoyer, Co-Chairman DeConcini and Commissioners Fritts and Rep. Edward Feighan (D-OH), Reps. Ben Gilman (R-NY), Dan Glickman (D-KS), Jan Myers (R-KS), Tom Sawyer (D-OH), David Skaggs (D-CO), Louise Slaughter (D-NY), Ben Jones (D-GA), Greg Laughlin (D-TX), Curt Weldon (R-PA), and Sander Levin (D-MI) were included on the delegation.

—Michael Ochs

Chairman Hoyer meets with Armenian President Levon Ter-Petrossyany.

Co-Chairman DeConcini visits 7 African nations

From August 4 to 18, a delegation led by CSCE Co-Chairman Dennis DeConcini visited seven African nations to examine human rights issues and discuss political developments relating to the formation of a Conference on Security, Stability, Cooperation and Development in Africa (CSSDCA)—a process and structure similar to the CSCE. The delegation visited South Africa, Namibia, Angola, Malawi, Kenya and Nigeria and met officials, opposition and NGO leaders, human rights activists, journalists, business leaders and others.

In South Africa the delegation met with President F.W. DeKlerk, Foreign Minister Botha, ANC Executive Committee Member Thabo Mbeki, INKATHA Chief Buthelezi, Reverand Allan Boesak and other political and religious leaders. Optimism regarding South Africa's movement towards democracy and the dismantling of apartheid was expressed in virtually all meetings. Most agreed that while political transformation would be accomplished, fulfillment of economic expectations would be more difficult especially as South Africa's economy is in decline.

In 1990, Namibia instituted a liberal constitution which provides for universal suffrage, a two-chamber legislature, independent judicial and executive branches, rule of law and equal rights for all people in Namibia. Seven political parties are represented in the parliament, and NGO groups and a lively press also contribute to open political debate. In developing this constitution, Namibians addressed a myriad of socio-economic and political problems and the varied needs of more than a dozen distinct ethnic groups.

Development of the constitution, and the nation's first fragile steps as a democratic society, are drawing the scrutiny of African nations with similar problems that are looking at possible models of democratization. In this regard, it has been suggested that Namibia has an important role to play in the CSSDCA process.

In Kenya, restrictions on political freedoms were the focus of meetings with officials of the one-party regime, NGO leaders and opposition and human rights activists—many of whom faced charges, or had served terms for expressing criticism of the government.

In meetings with President Moi, Attorney General Wako and Foreign Secretary Kipliagat, Co-Chairman DeConcini expressed serious concern regarding restrictions on freedom of movement and the lack of political pluralism or an independent legislature and judiciary. He also discussed the effectiveness of U.S. policies of linking assistance with human rights practices.

Senator DeConcini requested that U.S. Embassy personnel attend trials of human rights activists scheduled for next month and requested in a letter to President Moi that all political prisoners be released from Kenyan jails.

Nigeria, Africa's most populous nation and home of over 300 distinct ethnic groups, plays a critical role in any continent-wide endeavor, especially vis-a-vis CSSDCA as President Ibrahim Babangida currently serves as chairman of the OAU. The nation's tenuous political, economic and internal security situation and chronic corruption, however, raise serious questions about the foundations of democracy and respect for human rights in Nigeria.

While many Nigerians are in the forefront of promoting CSSDCA and dozens attended the Kampala meeting, past failures of civilian governments and uncertain plans for political and economic restructuring leave some observers skeptical about Nigeria's role in CSSDCA.

Commission staff members met with General Olusegun Obasanjo, former Head of State of Nigeria, current chairman of the Africa Leadership Forum, and a principal figure in the development of the CSSDCA.

—Mike Amitay

Co-Chairman DeConcini meets with South African President F.W. DeKlerk.

CSCE attempts to stop fighting and bloodshed

The crisis in Yugoslavia has brought the first critical test of the strengthened CSCE in responding to conflict.

When the Yugoslav military moved into Slovenia immediately after the June 25 declarations by Slovenia and Croatia proclaiming independence, neighboring Italy and Austria made the first use of the CSCE Mechanism for Unusual Military Activities, which was adopted in Vienna in 1990 as part of an agreement on Confidence- and Security-Building Measures. Both countries demanded an explanation of the military activity near their borders, and Austria, whose territory was subjected to Yugoslav aerial incursions, went as far as to call a meeting of the 35 CSCE States to discuss the matter. The meeting, held in Vienna on July 1, ended with a call for a complete cessation of hostilities and a return to barracks by all forces.

Because the crisis went beyond purely military concerns, however, the nine member states of the West European Union (WEU), along with the United States, Austria, and Hungary, invoked the Emergency Meeting Mechanism, which was developed by CSCE Foreign Ministers in Berlin in mid-June. The 2-day emergency meeting held in Prague on July 3–4 at the level of Senior Officials, renewed the call for a cease-fire, lent its support to an observer mission to Slovenia sponsored by the European Community (EC), and agreed to organize a "Good Offices Mission" which would seek to facilitate political dialogue between interested parties in Yugoslavia.

Outside efforts helped to produce some results both prior to and after the Prague meeting. Objections blocking the Croatian representative on Yugoslavia's collective state presidency, Stipe Mesic, from becoming the President of that body were removed. Moreover, the European Community (EC) was able to broker a cease-fire, with federal troops withdrawing from Slovenia, which in turn agreed to a 3-month moratorium on further independence efforts. On July 15, the first foreign observers sent to monitor the implementation of the cease-fire, all from EC countries, arrived in Slovenia.

As the violence subsided in Slovenia, however, it soon erupted with fierce fighting in neighboring Croatia, where militant segments of the republic's Serbian population, who wish to remain in the same state as Serbia itself, have resisted Croatian efforts to break from the federation. Representatives of Serbia, in fact, have opposed any breakup without first redrawing republic boundaries to ensure that all Serbs would continue to live in one state. Ethnic Serbs constitute about 12 percent of Croatia's population.

As the number of reported deaths from the fighting between Croatian police units and Serbian militants and Yugoslav military forces rose daily, the EC called again for a cease-fire and offered to expand its observer mission to Croatia. The German Chair therefore reconvened the Prague Senior Officials meeting on August 8–9, at which agreement was reached to expand the EC observer mission to Croatia, to increase its size and to include personnel from other CSCE States. A "Good Offices Mission" was again offered as well.

The results of the second Prague meeting were almost immediately frustrated by difficulties in obtaining agreement to an effective cease-fire and the clear assistance that the federal Yugoslav Army began to give to the militant Serbian groups. As fighting intensified in eastern Slavonia region of Croatia, aerial incursions caused Hungary on August 26 also to invoke the Unusual Military Activities Mechanism.

Meanwhile, an international peace conference was formed in The Hague which, by offering a forum for a political solution to the Yugoslav crisis, could encourage a cease-fire. Lord Carrington, former British Foreign Secretary and NATO Secretary General, was chosen to chair the conference, to be supported by a five-person arbitration board consisting of a leading judicial figure each from Germany, Italy and France and two from Yugoslavia. The conference was endorsed by a third Senior Officials meeting in Prague, on September 3–4, which also agreed to impose a complete arms embargo on Yugoslavia for the duration of the crisis.

This new effort, however, was threatened by the breaking of the cease-fire agreement recorded on September 1 almost immediately after it was accepted by the Presidents of the Yugoslav republics in Belgrade. While a cease-fire was a stated precondition for the peace conference, Lord Carrington decided to maintain the growing international momentum and opened the conference on September 7 as scheduled.

As federal and republic-level officials presented their greatly differing views of the situation, the fighting escalated even further, with the death toll now exceeding 500 in addition to countless injuries and substantial material losses, including damage to historic buildings and cultural sights. Having gained control of at least one-third of Croatia's territory, including areas with no significant Serbian population, some Serbian rebel leaders agreed to a truce on condition that they be granted permission to speak at the peace conference.

The Yugoslav military, however, renewed the offensive after Croatian forces counterattacked in an attempt to regain lost ground, and surrounded federal military installations. On September 15, the first air raid sirens sounded in Zagreb, Croatia's capital, outlying areas of which were bombed by Yugoslav aircraft. At this stage, however, Lord Carrington was able to broker a new cease-fire agreement, adopted on September 17 in Montenegro and this time including representatives of the Yugoslav military, which seems to be without civilian control. Since that time, fighting has continued in some areas but subsided overall, raising hope that the conflict could be brought under control

before it spread to the rest of the country.

Evaluation

The crisis in Yugoslavia demonstrated the first real challenge for the enhanced CSCE process in the new Europe. This process was effective in noting the problem and in meeting quickly in order to find a resolution of the crisis at the international level.

However, the extreme sensitivity which surrounds inter-ethnic disputes and questions of self-determination, evident in the differences in approach of various EC countries to the Yugoslav crisis, not to mention those of the Soviet Union and other countries, has minimized the ability of the CSCE to assert itself effectively. Thus, the question for the CSCE remains not so much one of procedure as one of the political will of the participating States to engage actively in complicated, yet urgent situations.

—Bob Hand

Minority questions prove difficult in Geneva

From July 1–19, 1991, the CSCE participating States met in Geneva, Switzerland, to discuss questions relating to national minorities. Mandated by the Paris Charter signed in November 1990, the Geneva meeting was held in response to growing ethnic tensions in Europe, especially in the developing democracies of East-Central Europe and in the Soviet Union.

The meeting took place in the shadow of open conflict in Yugoslavia, which demonstrated the dangers posed by ethnic tensions.

The Geneva meeting had three related tasks: 1) to describe and discuss national experiences in dealing with minority questions; 2) to review implementation of existing CSCE commitments regarding the rights of persons belonging to national minorities; and 3) to consider further measures designed to achieve improved compliance with these CSCE commitments. The manner in which the delegations fulfilled these tasks demonstrated the sensitivity regarding minority questions.

Restrained Dialogue

There was considerable discussion of how governments have handled varied minority situations. The U.S. delegation, which was chaired by Ambassador Max Kampelman, took an active part in this discussion, describing American approaches to minority questions, U.S. civil rights issues, and U.S. laws regarding hate crimes.

The implementation review, however, was marked by an unfortunate reluctance to engage in a meaningful discussion regarding compliance with existing CSCE commitments, despite wide acknowledgement that these commitments—and especially those contained in the Copenhagen Document—were both strong and detailed.

Only the United States and, to a lesser extent, Hungary and a few other delegations were willing to address specific implementation concerns, while the remaining delegations seemed to view the frank exchange of views as confrontational.

Topics covered in U.S. statements, which focused on positive developments as well as continued problems, included anti-Semitism, violence and discrimination directed against Roma (Gypsies), the right of an individual to choose his or her own ethnic identity and to associate with others having that identity, and education.

Many proposals rejected

The consideration of further measures brought to the surface extremely different approaches to minority questions. A score of proposals were tabled, with two comprehensive proposals—one by the Central European group known as the "Pentagonale" and the other, after long delay, by the 12 European Community States—covering a full range of minority issues. In many ways, however, these proposals either repeated commitments already made in Copenhagen or improperly redefined these commitments.

The United States, Austria, and Switzerland also introduced proposals designed to create a mechanism for dealing with national minority problems based on the existing human dimension mechanism established in the Vienna Concluding Document. While they all provided for a panel or group of experts to undertake specific activities, they differed in the way the mechanism would be activated and other modalities.

In the end, major differences among delegations led to an impasse on reaching agreement to a concluding document to the meeting. Among the controversial issues were the definition of a national minority, individual rights of persons belonging to national minorities as opposed to the so-called "group rights" of a minority, and the extent to which governments should go to help protect their ethnic identities.

Adoption of a Document

After three efforts by the Swiss head of delegation to coordinate negotiations drowned in a quagmire of amendments and counter-amendments, a group of Western countries tabled a compromise draft based on a U.S. paper which preserved what was achieved in the Copenhagen Document and built upon it in some respects.

The Concluding Document essentially reaffirms the resolve of the participating States to implement earlier commitments. Among the more positive provisions are those which stress the importance of reviewing implementation and the positive role nongovernmental organizations, religious groups and individuals can play in promoting tolerance and tackling inter-ethnic disputes. The Geneva Document also strengthens existing language regarding crimes motivated by hatred and prejudice. Finally, the Geneva Document contains a list of various approaches taken in dealing with minority questions which are suggested as potentially helpful in improving the situation of national minorities on their territories.

—Bob Hand

FOR THE RECORD

PRESIDENT GEORGE BUSH, commenting on RSFSR President Boris Yeltsin's performance during the Moscow coup, Kennebunkport, MA, August 1991. "It leaves the world looking at him as a very courageous individual, duly elected by the people, standing firmly and courageously for democracy and freedom with enormous stature as a result of that."

RSFSR PRESIDENT BORIS YELTSIN, in a speech to 30,000 supporters gathered around the Russian White House, August 1991. "Aggression will not go forward! Only democracy will win!"

YURI IVANILOV, Russian legislator, August 1991. "The putschists were all too frightened to take responsibility for their actions—and that is why they failed. There were soldiers who would have carried out an order to shoot, but nobody was willing to take the terrible responsibility of issuing such an order. This was not China or even Chile, where Pinochet was willing to take responsibility himself. You can't organize a coup by committee."

YEVGENY DZHUGASHVILI, grandson of Joseph Stalin, August 1991. "Gorbachev led us into the pit of history, and the coup had all my support. He led us into the dung, which I'm sure you in the West enjoyed, but he ruined my country. Why not overthrow him? It's the decent thing."

PRESIDENT MIKHAIL GORBACHEV, after the collapse of the Moscow coup, August 1991. "The Secretariat and Politburo of the Communist Party did not oppose the coup d'etat. Members of the party leadership were among the conspirators. A number of party committees and media supported the actions of state criminals. I do not consider it possible to continue to carry out the functions of general secretary of the Communist Party Central Committee, and I surrender those powers."

SOVIET TANK COMMANDER, Kantemirovskaya military division, retreating from Moscow after the failed coup, August 1991. "It's over! We've got our orders! Thank God, we're heading home."

RECENT CSCE PUBLICATIONS

REFERENDUM IN THE SOVIET UNION—A compendium of reports on the March 17, 1991 referendum on the future of the USSR. 46 pages.

THE ELECTIONS IN ALBANIA—On-site Helsinki Commission staff report on Albania's first multi-party elections since the 1920's, with an introduction. 32 pages.

SOVIET AND BALTIC ELECTION REPORT—Single volume compilation of on-site Commission staff reports on parliamentary elections in the Baltic States of Lithuania, Latvia and Estonia, and the Soviet republics of Russia, Moldavia, Ukraine, Azerbaijan, and Georgia, with an introduction. 188 pages.

REPORT ON THE ESTONIAN REFERENDUM AND LATVIAN PUBLIC OPINION POLL ON INDEPENDENCE—On-site Commission staff report on the March 3, 1991, votes on independence in Estonia and Latvia, with an introduction. 5 pages.

CENTRAL AND EAST EUROPEAN ELECTION REPORTS—Single volume compilation of on-site Commission staff reports on the 1990 elections held in the GDR, Hungary, the Yugoslav republics of Slovenia and Croatia, Romania, the Czech and Slovak Republic, and Bulgaria, with an introduction. 157 pages.

COMMISSION TRIP TO HUNGARY, YUGOSLAVIA AND ALBANIA—Report on the Helsinki Commission's March fact-finding trip to Hungary, Yugoslavia and Albania. 37 pages.

COMMISSION TRIP TO THE BALTIC STATES AND MOSCOW—Report on the Helsinki Commission's February fact-finding trip to Latvia, Lithuania, Estonia and Moscow. 35 pages.

STAFF REPORT ON HOMELESSNESS—August 29, 1990. Examines the causes, responses, and symptoms associated with the growing homelessness problem in the United States, and examines the problem in relation to international human rights commitments. The report is part of the Commission's continuing review of U.S. efforts to meet Helsinki process commitments. 77 pages.

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IN EUROPE
WASHINGTON, DC 20515

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